

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

IN THE MATTER OF THE PETITION
OF

NEW YORK CITY BOAT TOURS, LLC AND EDWARD
MATTIACE, as Owner of the 36' uninspected passenger vessel
“HONCHO” bearing Hull Number HEB000696585

Petitioners,

X

HEIDI VERMANDEL, INDIVIDUALLY, AND AS THE
PERSONAL REPRESENTATIVE OF THE ESTATE OF
JOHNNY BEERNAERT FOR AND ON BEHALF OF
HERSELF, SYBREN BRENT BEERNAERT AND IENSE
CARO BEERNAERT, WHO ARE THE SURVIVING HEIRS
OF JOHNNY BEERNAERT,

Third-Party Plaintiffs,

v.

**STIPULATION AND ORDER
OF DISMISSAL**

1:22-cv-07383 (NGG)(LB)

THE CITY OF NEW YORK,

Third-Party Defendant.

X

CLAIM BY THOMAS WALLER AND TARA WALLER

Claimants

X

WHEREAS, the parties have reached a settlement agreement and now desire to resolve the remaining issues raised in this litigation, without further proceedings and without admitting any fault and liability;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that:

1. The above-referenced actions¹ are hereby dismissed with prejudice; and
2. Notwithstanding the dismissal of this action in accordance with this agreement, the District Court shall continue to maintain jurisdiction over this action for the purpose of enforcing the terms of the settlement agreement reached between the parties as set forth in the Stipulation of Settlement executed by the parties in this matter.

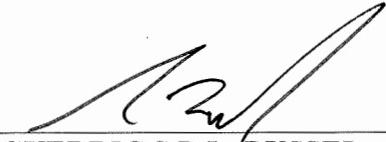
Facsimiles of signatures shall be deemed originals.

Dated: New York, New York
February 13, 2025

/s/ Paul T. Hofmann

PAUL T. HOFMANN, ESQ.

Hofman & Schweitzer
Attorneys for Heidi Vermandel, Individually,
and as the personal representative of the Estate
of Johnny Beernaert for and on behalf of
herself, Sybren Brent Beernaert and Iense Caro
Beernaert, who are the surviving heirs of
Johnny Beernaert
212 West 35th Street
New York, New York 10001



GUERRIC S.D.L. RUSSEL

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Attorneys for Petitioners NEW YORK CITY
BOAT TOURS, LLC AND EDWARD
MATTIACE, as Owner of the 36' uninspected
passenger vessel "HONCHO" bearing Hull
Number HEB000696585
88 Pine Street, 7th Floor
New York, New York 10005-1801

/s/ Michelle L. Moshe

MURIEL GOODE-TRUFANT

Corporation Counsel of the City of New York
Attorneys for Third-Party Defendant
THE CITY OF NEW YORK AS OWNER
AND OPERATOR OF THE MARINE 1
BRAVO
100 Church Street
New York, New York 10007
By: _____

Frank V. Floriani

FRANK V. FLORIANI

Sullivan Papain Block McGrath Coffinas &
Cannava, P.C.
Attorneys for Claimant/Respondent Thomas
Waller and Tara Waller
120 Broadway
New York, New York 10271

¹ This includes the claim made by Thomas Waller and Tara Waller (ECF Doc. 15) and any and all claims by Sybren Brent Beernaert and Iense Caro Beernaert.